

**SETTLEMENT AGREEMENT BETWEEN MISSOURI STATE COMMITTEE  
FOR SOCIAL WORKERS AND BEATRICE FULLER**

Come now Beatrice Fuller ("Fuller") and the Missouri State Committee for Social Workers ("Committee") and enter into this settlement agreement for the purpose of resolving the question of whether Fuller's license as a social worker will be subject to discipline.

Pursuant to the terms of § 536.060, RSMo 2000, the parties hereto waive the right to a hearing by the Administrative Hearing Commission of the state of Missouri and, additionally, the right to a disciplinary hearing before the Committee under § 621.110, RSMo 2000, and stipulate and agree that a final disposition of this matter may be effectuated as described below.

Fuller acknowledges that she understands the various rights and privileges afforded her by law, including the right to a hearing of the charges against her; the right to appear and be represented by legal counsel; the right to have all charges against her proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against her; the right to a decision upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against her and, subsequently, the right to a disciplinary hearing before the Committee at which time she may present evidence in mitigation of discipline; and the right to recover attorney's fees incurred in defending this action against her license. Being aware of these rights provided her by operation of law, Fuller knowingly and voluntarily waives each and every one of these

rights and freely enters into this settlement agreement and agrees to abide by the terms of this document, as they pertain to her.

Fuller acknowledges that she has received a copy of the complaint filed with the Committee, the investigative report, and other documents relied upon by the Committee in determining there was cause for discipline against Fuller's license. For the purpose of settling this dispute, Fuller stipulates that the factual allegations contained in this settlement agreement are true and stipulates with the Committee that Fuller's license as a social worker, numbered 003633, is subject to disciplinary action by the Committee in accordance with the provisions of Chapter 621 and Chapter 337, RSMo 2000, as they pertain to the practice of social work.

#### Joint Stipulation of Fact

1. The Committee is an agency of the state of Missouri created and established by § 337.622, RSMo 2000, for the purpose of administering and enforcing those provisions of Chapter 337, RSMo, relating to social workers.

2. Fuller was licensed by the Committee as a social worker, License No. 003633. Fuller's license was current and active at all times relevant herein. On or about November 20, 2004, Fuller submitted a letter and her licenses to the Committee indicating that she wished to voluntarily surrender her license.

3. On or about April 22, 2004, Fuller submitted a credentialing application ("application") to the Mental Health Network ("MHNet"), which is a full spectrum managed behavioral health organization, to become a MHNet provider.

4. As part of the application, Fuller listed that she had been obtained a Masters of Science from Memphis State University in 1977.

5. On or about September 13, 2004, MHNet requested a copy of Fuller's degree because they had been unable to verify her education.

6. On or about September 13, 2004, a degree was faxed to MHNet indicating that Fuller had been awarded a Masters of Science in Education from Memphis State University on August 18, 1977.

7. Fuller never attended Memphis State University.

8. The degree that was faxed to MHNet was a forgery.

9. Fuller knowingly provided false information to MHNet.

10. Fuller's conduct violates 4 CSR 263-3.060, which states in relevant part: "(1) A licensed clinical social worker, . . . should act with integrity in his/her relationships with colleagues, other organizations, agencies, institutions, referral sources and other professions so as to facilitate the contribution of all colleagues toward achieving optimum benefit for clients."

11. Fuller's conduct violates 4 CSR 263-3.020, which states in relevant part:

(2) A licensed clinical social worker, . . . shall not--

(A) Violate any ethical standard/disciplinary rule;

....

(C) Engage in conduct that is dishonest, deceitful or fraudulent;

....

12. Fuller's conduct violates 4 CSR 263-3.010(1), which states in relevant part: "The ethical standards/disciplinary rules for licensed clinical social workers, . . . are mandatory. The failure of a licensed clinical social worker, . . . to abide by any ethical standard/disciplinary rule in this chapter shall constitute unethical conduct and be grounds for disciplinary proceedings."

Joint Conclusions of Law

13. Cause exists to discipline Fuller's license under § 337.630.2, RSMo 2000, which states in relevant parts:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any license required by sections 337.600 to 337.639 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

....

(5) [F]raud, misrepresentation or dishonesty in the performance of the functions or duties of a clinical social worker;

(6) Violation of, or assisting or enabling any person to violate, any provision of

sections 337.600 to 337.639, or of any lawful rule or regulation adopted pursuant to sections 337.600 to 337.639;

....

(13) Violation of any professional trust or confidence;

....

(15) Being guilty of unethical conduct as defined in the ethical standards for clinical social workers adopted by the committee by rule and filed with the secretary of state.

Joint Agreed Disciplinary Order

Based upon the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the Committee in this matter under the authority of § 621.045.3, RSMo 2000.

1 Fuller's license as a social worker is hereby VOLUNTARILY SURRENDERED. Fuller shall immediately return all evidence of licensure to the Committee.

2. The parties to this settlement agreement understand that the Committee will maintain this settlement agreement as an open and public record of the Committee as provided in Chapters 337, 610, and 620, RSMo.

3. The terms of this settlement agreement are contractual, legally enforceable, and binding, not merely recital. Except as otherwise contained herein, neither this settlement

agreement nor any of its provisions may be changed, waived, discharged, or terminated, except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

4. Fuller hereby waives and releases the Committee, its members and any of its employees, agents, or attorneys, including any former committee members, employees, agents, and attorneys, of, or from, any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to, any claims for attorney's fees and expenses, including any claims pursuant to § 536.087, RSMo, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this litigation, or from the negotiation or execution of this settlement agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this settlement agreement in that it survives in perpetuity even in the event that any court of law deems this settlement agreement or any portion thereof void or unenforceable.

**FULLER AS EVIDENCED BY THE INITIALS ON THE APPROPRIATE  
LINE**

\_\_\_\_\_ **REQUESTS**

  *BF*   **DOES NOT REQUEST**

**THE ADMINISTRATIVE HEARING COMMISSION TO DETERMINE IF THE  
FACTS SET FORTH HEREIN ARE GROUNDS FOR DISCIPLINING FULLER'S  
LICENSE AS A SOCIAL WORKER.**

If Fuller has requested review, Fuller and the Committee jointly request that the Administrative Hearing Commission determine whether the facts set forth herein are grounds for disciplining Fuller's license and issue findings of fact and conclusions of law stating that the facts agreed to by the parties are grounds for disciplining Fuller's license. Effective the date the Administrative Hearing Commission determines that the settlement agreement sets forth cause for disciplining Fuller's license, the agreed upon discipline set forth herein shall go into effect.

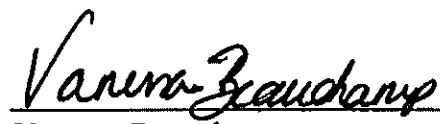
If Fuller has not requested review by the Administrative Hearing Commission, the settlement agreement goes in to effect 15 days after the document is signed by the Executive Director.

RESPONDENT

  
Beatrice Fuller


Date 11/07/05

PETITIONER

  
Vanessa Beauchamp  
Executive Director  
Missouri State Committee for  
Social Workers

Date 11-18-05

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